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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,810	11/24/2003	John R. Haynes	12715-41	5366
26799	7590	06/29/2006	EXAMINER	
IP LEGAL DEPARTMENT TYCO FIRE & SECURITY SERVICES ONE TOWN CENTER ROAD BOCA RATON, FL 33486			PREVIL, DANIEL	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

10

Office Action Summary

Application No.

10/720,810

Applicant(s)

HAYNES, JOHN R.

Examiner

Daniel Previl

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24, 55 and 56 is/are allowed.
- 6) ☒ Claim(s) 25-54, 57 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/23/06; 3/23/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communication filed on April 10, 2006.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 25-53, 57-58, are rejected under 35 U.S.C. 103(a) as being unpatentable over Capowski et al. (US 6,426,697) in view of Masone et al. (US 6,121,885).

Regarding claim 25, Capowski discloses a fire alarm system, for providing warnings (fig. 1; col. 1, line 5) comprising: communicating the warning alert to a central controller for the fire alarm system (system controller 14 in fig. 1); the controller also communicating with detectors and notification appliances via a network (fig. 1; abstract; col. 3, lines 54-67; col. 4, lines 1-5); communicating from the central controller for the fire alarm system to at least one of the fire alarm notification appliances to issues an alert based at least in part on the received warning alert (fig. 1; col. 3, lines 55-67; col. 4, lines 1-5); providing, at the at least one fire alarm notification appliance, notification of the warning alert (fig. 1; abstract; col. 3, lines 55-67; col. 4, lines 1-5).

Capowski discloses all the limitations above but fails to explicitly disclose dreceiving a warning alert from an external source.

However, Masone discloses receiving a warning alert from an external source (receiving weather broadcasts and alerts from NOAA) in fig. 1; abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Masone's external source in Capowski. Doing so would modify notification appliance of Capowski with Masone's external source in order to quickly alert and evacuate efficiently people in case of fire or other natural disaster thereby saving lives in such situations as taught by Masone (col. 1, lines 24-27 and lines 50-51).

Regarding claim 26, Capowski discloses the fire alarm notification appliance providing notification in response to detection of a change in alert status of the warning alert (LED blinks every time the notification appliance 24 is polled) (col. 4, lines 1-5).

Regarding claims 27-28, Capowski and Masone disclose all the limitations in claim 25 and Masone further discloses a government Agency (NOAA) (abstract). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Masone's NOAA in Capowski. Doing so would modify notification appliance of Capowski with Masone's NOAA in order to alert and evacuate efficiently people in case of fire or other natural disaster thereby improving the efficiency of the system as taught by Masone (col. 1, lines 24-27 and lines 50-51).

Regarding claims 29-30, Capowski and Masone disclose all the limitations in claim 25 and Masone further discloses NOAA weather radio receiver 24 (fig.

1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Masone's NOAA radio receiver in Capowski. Doing so would modify notification appliance of Capowski with Masone's NOAA radio receiver in order to receive accurately messages from NOAA in case of fire or other natural disaster thereby precluding accident from happening taught by Masone (col. 1, lines 24-27 and lines 50-51).

Regarding claim 31-32, Capowski and Masone disclose all the limitations in claim 25 and Masone further discloses radio receiver 24 equipped to receive the warning alert (fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Masone's NOAA radio receiver in Capowski. Doing so would modify notification appliance of Capowski with Masone's NOAA radio receiver in order to receive accurately messages from NOAA in case of fire or other natural disaster thereby precluding accident from happening taught by Masone (col. 1, lines 24-27 and lines 50-51).

Regarding claim 33, Capowski discloses one relay contact (contacts 92, 94) (fig. 7).

Regarding claim 34, Capowski discloses the interface comprising a serial interface (fig. 1).

Regarding claim 35, the examiner takes the official notice that "the warning detector receiving warning alerts via at least one of: Internet, telephone, and cellular phone" is well known in the art.

Regarding claim 36, Capowski discloses the fire alarm notification appliance providing notification of the detected warning alert by transmitting a voice message (col. 3, line 65).

Regarding claim 37, Capowski discloses the fire alarm notification appliance providing notification of the detected warning alert by transmitting a predefined audio pattern (audible alarm) (col. 3, lines 63-64).

Regarding claim 38, Capowski discloses the fire alarm notification appliance providing notification of the detected warning alert by transmitting a predefined flash pattern (Led blinks) (col. 4, lines 4-5).

Regarding claim 39, Capowski discloses the notification appliance providing different notifications for different warning alerts (fig. 2).

Regarding claim 40, Capowski a delay module which provides a delay before transmission of the notification warning (fig. 7; col. 8, lines 47-66; col. 10, lines 16-40; col. 11, lines 12-17).

Regarding claim 41, Capowski discloses a verification module which allows confirmation of the validity of the warning alert before transmission of the notification (col. 10, lines 16-64; col. 11, lines 12-17).

Regarding claim 42, Capowski discloses a visual annunciator comprising plural visual indicators used to indicate a current alert level (fig. 1; col. 3, lines 55-67).

Regarding claim 43, Capowski discloses visual indicators being light emitting diodes (col. 4, lines 1-5).

Regarding claim 44, Capowski discloses the visual indicators being color-coded (LED) (col. 4, lines 1-5).

Regarding claim 45, Capowski discloses the visual annunciator being incorporated into a fire alarm control panel (fig. 1).

Regarding claim 46, Capowski discloses the visual annunciator being a stand-alone device in communication with the warning detector (fig. 1).

Regarding claim 47, Capowski discloses the visual annunciator being incorporated into the fire alarm notification appliance (fig. 1).

Regarding claim 48, Capowski discloses a fire alarm system (abstract; col. 1, line 5) comprising: notification means for providing, notification of the warning alert in response to detection of the warning alert (fig. 1; abstract; col. 3, lines 55-67; col. 4, lines 1-5); and controller means for the fire alarm system receiving the warning alert from the warning detection means and further communicating the warning alert to the notification means via a network (fig. 1-fig. 2; abstract; col. 3, lines 55-67; col. 4, lines 1-5).

Capowski discloses all the limitations above but fails to explicitly disclose warning detection means for detecting a warning alert from an external source.

However, Masone discloses warning detection means for detecting a warning alert from an external source (fig. 1; abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Masone's external source in Capowski. Doing so would modify notification appliance of Capowski with

Masone's external source in order to quickly alert and evacuate people immediately in case of fire or other natural disaster thereby improving the efficiency of the system as taught by Masone (col. 1, lines 24-27 and lines 50-51).

Regarding claim 49, Capowski discloses the fire alarm notification appliance providing notification in response to detection of a change in alert status of the warning alert (LED blinks every time the notification appliance 24 is polled) (col. 4, lines 1-5).

Regarding claim 50, Capowski discloses a fire alarm system (col. 1, line 5) comprising: a system controller 14 (fig. 1); a plurality of fire alarm notification appliances in communication with the system controller (fig. 1); a warning receiver 12 in communication with the system controller 14 (fig. 1); a visual annunciator comprising plural color-coded indicator (plurality of notification appliances in fig. 1; col. 3, line 67; col. 4, lines 1-5), the visual annunciator being in communication with the warning detector and indicating a current alert level in response to a detected change in alert status (LED blinks every time) (col. 4, lines 1-5).

Capowski discloses all the limitations above but fails to explicitly disclose warning receiver detecting a warning alert from an external source.

However, Masone discloses warning detector detecting a warning alert from an external source (fig. 1; abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Masone's external source in Capowski. Doing so would modify notification appliance of Capowski with Masone's external source in order to quickly alert and evacuate immediately people in case of fire or other natural disaster thereby improving the efficiency of the system as taught by Masone (col. 1, lines 24-27 and lines 50-51).

Regarding claim 51, Capowski discloses the color-coded indicators being light emitting diodes (plurality of notification appliances in fig. 1; col. 3, line 67; col. 4, lines 1-5).

Regarding claim 52, Capowski discloses the visual annunciator being incorporated into any of: the system controller and at least one of the fire alarm notification appliances (fig. 1-fig. 2).

Regarding claim 53, Capowski discloses the visual annunciator being a stand alone device in communication with the warning receiver (fig. 1-fig. 2).

Regarding claim 57, Capowski discloses the step of determining at least one recommendation based on the warning alert (fig. 1; col. 3, lines 58-62) and issuing the alert based at least in part on the recommendation (col. 3, lines 58-67).

Regarding claim 58, Capowski discloses the visual annunciator indicates a current alert level after a detected change in alert status (LED blinks every time the notification appliance 24 is polled) (col. 4, lines 1-5).

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3. Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Capowski et al. (US 6,426,697) in view of Sweatt (US 6,696,942).

Regarding claim 54, Capowski discloses a fire alarm system (abstract; col. 1, line 5): a fire alarm system controller (fig. 1-fig. 2); a fire alarm notification appliance in communication with the system controller (fig. 1-fig. 2); the fire alarm notification appliance communication with the system controller (fig. 1-fig. 2) and providing notification of the warning alert in response to detection of the warning alert (abstract; fig. 1; col. 3, lines 54-67; col. 4, lines 1-5).

Capowski discloses all the limitations above but fails to explicitly disclose a warning detector which detects a security/terrorist warning alert from a source external to the fire system.

Sweatt discloses a warning detector which detects a security/terrorist warning alert from a source external to the fire system (col. 1, lines 34-45; col. 3, lines 35-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sweatt in Capowski. Doing so would provide a coordinated response to a terrorist threat, thereby taking accurate precautions to avoid or minimize the expected harm for the safety purposes as taught by Sweatt (col. 1, lines 11-31).

Allowable Subject Matter

4. Claims 1-24, 55-56 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter: In combination with all the limitations in the claim, the prior arts fail to teach or make obvious: a warning receiver, separate and distinct from any hazard detector, the warning receiver receiving a warning alert message from a source external to the fire alarm system, the warning receiver providing at least a part of the received warning alert message to the controller, the controller, in response to the warning alert message, causing at least one notification appliance to notify based at least in part on the received warning alert message.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gropper (US 5,444,433) discloses a modular emergency or weather alert interface system.

Tarleton et al. (US 6,462,665) discloses a method and apparatus for sending a weather condition alert.

Lauterbach et al. (US 5,278,539) discloses alerting and warning system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is (571) 272-

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2971. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Previl
Examiner
Art Unit 2636

DP
June 15, 2006.